

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

vs.

Case No. 21-cv-03450

GREGORY DAVID PARIS and
BARRINGTON ASSET MANAGEMENT,
INC.,

Hon. Joan B. Gottschall

Defendants.

DEFENDANTS' MOTION TO DISMISS

Defendants Gregory D. Paris (“Paris”) and Barrington Asset Management, Inc. (“BAM”) (collectively, “Defendants”) respectfully move this Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss Plaintiff U.S. Securities and Exchange Commission’s (“SEC”) Amended Complaint on the grounds that the Amended Complaint fails to plead fraud with particularity as required by Rule 9(b) of the Federal Rules of Civil Procedure. In further support of their Motion, Defendants submit the accompanying Memorandum in Support of Motion to Dismiss.

WHEREFORE, Defendants Gregory D. Paris and Barrington Asset Management, Inc. respectfully request that the Court grant their Motion to Dismiss and enter an order dismissing the SEC’s Amended Complaint with prejudice, and grant such other and further relief as it deems just and proper.

Dated: September 29, 2021

Respectfully submitted,

/s/ Ellen M. Wheeler

Ellen M. Wheeler (No. 6244111)

Samantha Saddler (No. 6333280)

Foley & Lardner LLP

321 North Clark Street, Suite 3000

Chicago, IL 60654-4762

312.832.4500

312.832.4700

Attorneys for Defendants Gregory D. Paris
and Barrington Asset Management, Inc.

CERTIFICATE OF SERVICE

I, Ellen M. Wheeler, an attorney, hereby certify that on September 29, 2021, I filed on the ECF System the foregoing Defendants' Motion to Dismiss, and thereby served such filing via the Court's ECF Notification system to all attorneys of record in this matter.

/s/ Ellen M. Wheeler
Ellen M. Wheeler